

### PROGRAM SUMMARY

1. **Purpose.** The Land and Water Conservation Fund (L&WCF) Act of 1965 (Public Law 88-578, 78 Stat 897) was enacted "...to assist in preserving, developing and assuring accessibility to all citizens of the United States of America of present and future generations ...such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation..." The L&WCF program provides matching grants to States, and through the States to local governments, for the acquisition and development of public outdoor recreation areas and facilities. Planning grants are also available to the States to help develop Statewide Comprehensive Outdoor Recreation Plans (SCORP).
2. **Delegation of Authority.** The L&WCF Act authorizes the Secretary of the Interior to provide financial assistance to States for outdoor recreation purposes. Except for the apportionment of funds among States and the approval of Contingency Reserve projects, this authority has been delegated to the Director of the National Park Service (NPS). The Regional Directors are authorized to exercise the program and administrative authority of the Director within the geographic area comprising the region for which they have responsibility. Limitations to this delegation include the Director's authority to act on all recommendations to the Secretary involving the apportionment of L&WCF monies and the allocation of Contingency Reserve Fund assistance; and to approve or disapprove formal arrangements where by the State agrees to assume certain responsibilities in the administration of the L&WCF program.
3. **Appointment of State Liaison Officer.** To be eligible for assistance under the L&WCF Act, the Governor of each State shall designate in writing an official who has authority to represent and act for the State as the State Liaison Officer in dealing with the Director of NPS for purposes of the L&WCF program. The State Liaison Officer (SLO) shall have authority and responsibility to accept and to administer funds paid for approved projects. Upon taking office, a new Governor shall officially, in writing, redesignate the present State Liaison Officer or appoint a new individual to represent and act for the State in dealing with the L&WCF program.
4. **Apportionment of Funds.** L&WCF monies are apportioned to the States by the Secretary of Interior each fiscal year in accordance with the apportionment formula contained in the L&WCF Act. This formula includes a factor for equal distribution of a portion of the fund among the States, as well as factors for distribution on the basis of population

and need. Funds are apportioned to the individual States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Government of the Northern Mariana Islands (when such islands achieve commonwealth status) which are collectively referred to as "the States" for the purposes of this program. Funds may be made available through the States to political subdivisions of the State and other appropriate public agencies, including recognized Indian tribes which otherwise qualify for L&WCF assistance.

5. **State Planning Requirements.** To be eligible for L&WCF assistance for acquisition or development grants, each State shall prepare a Statewide Comprehensive Outdoor Recreation Plan (SCORP), and update and refine it continually. The SCORP identifies capital investment priorities for acquiring, developing, and protecting all types of outdoor recreation resources within a State; it assures continuing opportunity for local units of government and private citizens to take part in their State's outdoor recreation and environmental planning programs; and it provides a practical tool for coordinating all State outdoor recreation and environmental conservation programs. Planning grants and technical assistance are available through the L&WCF program to help the States develop and update their SCORP planning process.
6. **Acquisition and Development Grants.** L&WCF assistance may be available 1) to acquire lands and waters or interests in lands and water for public outdoor recreation, and 2) to develop basic outdoor recreation facilities to serve the general public. To be eligible for assistance, projects must be in accord with the Statewide Comprehensive Outdoor Recreation Plan, be sponsored by a governmental agency, and meet other State and Federal requirements.
7. **Contingency Reserve Fund.** A small portion of the Fund is set aside in a Contingency Reserve Fund from which the Secretary of Interior may obligate assistance to individual projects on the basis of need.
8. **Basis for Assistance.** L&WCF assistance is provided on a 50/50 matching basis to individual projects which are submitted through the State Liaison Officer to the National Park Service for approval. Project costs shall be determined in accord with OMB Circular A-102 and A-87, the L&WCF Grants Manual and all claims shall be subject to verification by Federal audit.

L&WCF grants shall be made available on a 100% basis in accord with Public Law 96-205 to the Insular Areas participating in the L&WCF program (i.e., the Virgin Islands, Guam, American Samoa, and the Government of the Northern Mariana Islands when such islands achieve commonwealth status). However, the Secretary reserves the right to require up to 50 percent matching funds for grants awarded from the Contingency Reserve to the Insular Areas and this reservation will be applied on a project by project basis.

9. **Project Program Administration.** The State Liaison Officer is responsible for administration of the L&WCF program in his/her State. This includes implementation of an ongoing SCORP planning process; evaluation and selection of projects in accord with an Open Project Selection Process; assuring compliance of projects with the requirements of this L&WCF Grants Manual; preparation and submission of applications, amendments and billings; inspection of projects to insure proper completion, operations and maintenance; and other functions necessary for proper program administration and management.
10. **Conversion Policy.** The L&WCF Act requires the States to operate and maintain by acceptable standards the properties or facilities acquired or developed for public outdoor recreation use. Further, Section 6(f)(3) of the L&WCF Act requires that no property acquired or developed with L&WCF assistance shall be converted to other than public outdoor recreation uses without the approval of the Secretary of the Interior and the substitution in accord with the SCORP of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.
11. **Where to Send Inquiries.** Generally, all correspondence should be addressed to the appropriate Regional Office of the National Park Service with responsibility for the L&WCF program (see Attachment 600.1A).

**National Park Service Offices with Responsibility for L&WCF Grants:**

<u>REGION</u>	<u>OFFICE ADDRESS</u>	<u>STATES</u>
<b>Mid-Atlantic</b>	Regional Director, NPS 143 S. 3rd Street Philadelphia, PA 19106 215-597-7995	CT, DC, DE, MA, MD, ME, NH, NJ, NY, PA, RI, VA, VT, WV
<b>Southeast</b>	Regional Director, NPS 75 Spring Street, 10th Fl. Atlanta, GA 30303 404-331-2608	AL, FL, GA, KY, MS, NC, PR, SC, TN, VI
<b>Mid-West</b>	Regional Director, NPS 1709 Jackson Street Omaha, NE 68102 402-221-3201	IA, IL, IN, KS, MI, MN, MO, NE, OH, WI
<b>Southwest</b>	Regional Director, NPS P.O. Box 728 Santa Fe, NM 87501-0728 505-988-6815	AR, LA, NM, OK, TX
<b>Rocky Mountain</b>	Regional Director, NPS P.O. Box 25287 Denver, CO 80225 303-969-2500	CO, MT, ND, SD, UT, WY
<b>Pacific Northwest</b>	Regional Director, NPS 83 South King Street, Suite 212 Seattle, WA 98104-2887 206-553-4720	AK, ID, OR, WA
<b>Western</b>	Regional Director, NPS 600 Harrison St., Suite 600 San Francisco, CA 94107-1372 415-774-3972	American Samoa, AZ, CA, Guam, HI, NV, Northern Marianas Islands
<b><u>Washington D.C. Offices</u></b>		
Recreation Grants Div. - 784 U.S. Department of the Interior NPS P.O. Box 37127 Washington, D.C. 20013-7127	Accounting Operations Div. - 309 U.S. Department of the Interior NPS P.O. Box 37127 Washington, D.C. 20013-7127	

## LEGISLATIVE BASIS

1. **Purpose.** The basic authority for the Land and Water Conservation Fund is stated in Section 1 (b) of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 897):

"The purposes of this act are to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas."

2. **Section 6 of the Act** contains the basic requirements and conditions for the L&WCF Program of Assistance to States:

"Section 6. GENERAL AUTHORITY; PURPOSES.--(a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States from monies available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

(b) **APPORTIONMENT AMONG STATES; NOTIFICATION.--**Sums appropriated and available for States purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) Forty per centum of the first \$225,000,000; thirty per centum of the next \$275,000,000; and twenty per centum of all additional appropriations shall be apportioned equally among the several States; and

(2) At any time, the remaining appropriation shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of

need shall include among other things a consideration of the proportion which the population of each State bears to the total population of the United States and of the use of outdoor recreation resources of individual States by persons from outside the State as well as a consideration of the Federal resources and programs in the particular States.

(3) The total allocation to an individual State under paragraphs (1) and (2) of this subsection shall not exceed 10 per centum of the total amount allocated to the several States in any one year.

(4) The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available thereafter for payment to such State for planning, acquisition, or development projects as hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) of this subsection, without regard to the 10 per centum limitation to an individual State specified in this subsection.

(5) For the purposes of paragraph (1) of this subsection, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands (when such islands achieve Commonwealth status) shall be treated collectively as one State, and shall receive shares of such apportionment in proportion to their populations. The above listed areas shall be treated as States for all other purposes of this title.

(c) MATCHING REQUIREMENTS.--Payments to any State shall cover not more than 50 per centum of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary. No payment may be made to any State for or on account of any cost or obligation incurred or any service rendered prior to the date of approval of this Act.

(d) COMPREHENSIVE STATE PLAN REQUIRED; PLANNING PROJECTS.--A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act: Provided, That no plan shall be approved unless the Governor of the respective State certifies that ample opportunity for public participation in plan development and revision has been accorded. The Secretary shall develop, in consultation with

others, criteria for public participation, which criteria shall constitute the basis for the certification by the Governor. The plan shall contain -

- (1) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this Act;
- (2) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;
- (3) a program for the implementation of the plan; and
- (4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency financed plans.

The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available or for the maintenance of such plan.

(e) PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.--In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the following types of projects or combinations thereof if they are in accordance with the State comprehensive plan:

- (1) ACQUISITION OF LAND AND WATERS.--For the acquisition of land, waters, or interests in land or water (other than land, waters, or interests in land or waters acquired from the United States for less than fair market value), but not including incidental costs relating to acquisition. Whenever a State provides that the owner of a single-family residence may, at his option, elect to retain a right of use and occupancy for not less than six months from the date of acquisition of such residence and such owner elects to retain such a right, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894) and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

(2) DEVELOPMENT. -- For development of basic outdoor recreation facilities to serve the general public, including the development of Federal lands under lease to States for terms of twenty-five years or more: Provided, That no assistance shall be available under this Act to enclose or shelter facilities normally used for outdoor recreation activities, but the Secretary may permit local funding, and after the date of enactment of this provision not to exceed 10 per centum of the total amount allocated to a State in any one year to be used for sheltered facilities for swimming pools and ice skating rinks in areas where the Secretary determines that the severity of climatic conditions and the increased public use thereby made possible justifies the construction of such facilities.

(f) REQUIREMENTS FOR PROJECT APPROVAL:  
CONDITION. -

(1) Payments may be made to States by the Secretary only for those planning, acquisition, or development projects that are approved by him. No payment may be made by the Secretary for or on account of any project with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any project with respect to which such assistance has been given or promised under this Act. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: Provided, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State has the ability and intention to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

(2) Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

(3) No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion



only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location: *Provided*, that wetland areas and interests therein as identified in the wetlands provisions of the comprehensive plan and proposed to be acquired as suitable replacement property within the same State that is otherwise acceptable to the Secretary, acting through the Director of the National Park Service, shall be considered to be of reasonably equivalent usefulness with the property proposed for conversion.

(4) No payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State under this Act.

(5) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(6) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purposes of audit and examination any books, documents, papers, and records of the recipient that are pertinent to assistance received under this Act.

(7) Each State shall evaluate its grant programs annually under guidelines set forth by the Secretary and shall transmit, so as to be received by the Secretary no later than December 31, such evaluation to the Secretary, together with a list of all projects funded during that fiscal year, including, but not limited to, a description of each project, the amount of Federal funds employed in such project, the source of other funds, and the estimated cost of completion of the project. Such evaluation and the publication of same shall be eligible for funding on a 50-50 matching basis. The results of the evaluation shall be annually reported on a fiscal year basis to the National Park Service, which agency shall forward a

summary of such reports to the Committees on Interior and Insular Affairs of the United States Congress by no later than March 1 of each year. Such report to the committees shall also include an analysis of the accomplishments of the fund for the period reported, and may also include recommendations as to future improvements for the operation of the Land and Water Conservation Fund program.

(8) With respect to property acquired or developed with assistance from the fund, discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

(g) COORDINATION WITH FEDERAL AGENCIES.--In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and Section 701 of the Housing Act of 1954) and to assure coordination of the planning acquisition, and development assistance to States under this section with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations."

## STATE APPORTIONMENT FORMULA

1. **Apportionment Percentage to States.** The Act creates a Fund consisting of certain earmarked revenues from which the Congress may annually appropriate money for public outdoor recreation purposes. As provided in the annual appropriation act, funds shall be made available for State and Federal purposes with not less than 40 percent appropriated for Federal purposes.
2. **The Amount Apportioned is Essentially a Reserve.** Apportionment of funds to the States does not confer absolute entitlement to such funds. The apportionment is evidence of a commitment by the Federal Government to withhold from other uses a specified amount for a State for a given period of time. The amounts apportioned are subject to Office of Management and Budget quarterly apportionments to the Land and Water Conservation Fund (L&WCF) monies which set legal limits on the amounts which can be obligated each fiscal quarter for all purposes under the L&WCF. To receive apportioned funds, the States must (a) prepare and maintain a comprehensive statewide outdoor recreation plan that has been found by the Service to be adequate for the purposes of the Act; (b) submit and receive approval of projects requiring the use of apportioned funds; and (c) request the Federal Government to obligate apportioned funds for use on approved projects.
3. **Basis for Apportionment.** Apportionment of the appropriation is made by the Secretary in accord with the legislative mandate state in Section 6(b) of the L&WCF Act. The amount apportioned to each State is the amount of new authority for obligation each State will have in the fiscal year unless Congress or the President decides later to defer or rescind some portion of the amount.
4. **Notice of Apportionment.** The Secretary will notify each State of its apportionment following an appropriation of funds by the Congress.
5. **Reports on Status of States Apportionment.** The Service will notify each State periodically, of the status of each fiscal year's apportionment. This financial report shall include for each fiscal year: the total amount of current apportionments (including adjustments), the total obligations, and the total expenditures. The report will also notify the State of the balance remaining available in each apportionment. The State is expected to maintain its own accounting records on the status of apportionments.
6. **Life of State Apportionments.** The funds apportioned to a State will remain available for obligation during the fiscal year in which

notification is given and for two fiscal years thereafter. Any portion of an apportionment that remains unobligated at the expiration of this 3-year period shall revert to the Secretary for reapportionment among the several States on the basis of need as determined by the Secretary.

7. **Disposition of Unexpended Balances of Obligated Funds.** Funds obligated for an approved project will remain available for expenditure by the project sponsor until the project is completed or terminated. All projects should be completed within 5 years (see 660.2.7B). When the total project expenditures are less than the obligated amount and the 3-year period for obligation availability has expired (see 600.3.6), the unexpended balance will revert to a special account which may be reapportioned to the State. This special account, containing previously apportioned but unexpended funds, does not confer entitlement to such funds by the State (see 600.3.2). The special account policy was established to allow States the opportunity to utilize monies saved from good management of the program (projects completed for less-than-anticipated funds), and in 1981 the special account was revised to include all deobligated monies with no restrictions as to whether or not deobligation occurred within or after the 3-year period for obligation availability. The Secretary, may, at his/her discretion reapportion such unexpended balances back to the respective State from which it came on the basis of need. The determination of need for each State will reflect the efficient management of their obligations and outlays, the demand for additional funding, and satisfactory compliance with all L&WCF program requirements.

The procedure for the issuance of a Certificate of Reapportionment will include a review of each State's request for reapportionment funds available. The State's identification and justification of need, their obligation and outlay rate, and compliance with all program requirements will be considered in the review. The authority to review and approve each State request for reapportionment has been delegated to the Chief, Recreation Grants Division, Washington Office. Upon approval, Regional Directors are authorized to issue the Certificate of Reapportionment. Any funds not reapportioned back to a State within six months from the end of the fiscal year in which the reapportionment funds become available will revert to the Secretary's Contingency Reserve Fund.

Reapportionment Process:

- (1) State requests funds from Region. Region reviews State request.
- (2) Regional recommendation and a copy of the State's request is sent to the Chief, Recreation Grants Division, WASO.

- (3) WASO reviews request, assigns Certificate Number or rejects.
- (4) Region receives WASO approval memo with Certificate Number and prepares Reapportionment Certificate.
- (5) Original Certificate signed by Regional or Acting Regional Director and sent to WASO Finance Division.
- (6) One copy of Certificate with transmittal letter sent to State.  
One copy of Certificate sent to WASO Recreation Grants.
- (7) Finance posts Certificate, after which State may proceed with fund requests (usually during same month).

SECRETARY'S CONTINGENCY RESERVE FUND

1. **Authority.** Sec. 6(b) of the L&WCF Act requires the Secretary of the Interior (1) to apportion 60 to 80 percent of each year's appropriation among the States on the basis of need, and (2) to reapportion any unobligated amounts from expired apportionments among the States on the basis of need. The Secretary's Contingency Reserve Fund consists of sums reserved from the annual appropriations and reverted sums from expired apportionments which will be apportioned or reapportioned by the Secretary on a project-by-project determination of need. No money from the Contingency Reserve may be obligated or otherwise committed for any project without the prior approval of the Secretary.
2. **Specific Criteria.** Requests for assistance from the Contingency Reserve must meet the same basic requirements as required for assistance from the State's regular apportionment. Contingency Reserve requests will be considered on the basis of the extent to which the project meets the following criteria:
  - A. The project must fall within one of three categories:
    - (1) Acquisitions which necessitate urgent action (no false emergencies);
    - (2) Demonstration programs initiated by the Secretary which identify new ideas in outdoor recreation or encourage State and local governments to meet identified critical needs; or
    - (3) Emergency situations brought about by natural disasters which necessitate urgent action to provide lost recreational opportunities when other sources of funding such as Disaster Relief Act funds are not available.
  - B. The State's regularly apportioned funds are insufficient because they have been obligated or officially committed to other high priority projects and it is imperative to seek Contingency Reserve funds to avoid the loss of a significant opportunity. However, projects submitted under the Secretary's Demonstration program will be considered without regard to the status of the State's regular apportionment.
  - C. The project is easily accessible to large numbers of people and is outstanding in the quality or quantity of recreational opportunities provided.

- D. The project sponsor can demonstrate that it has a planning program which has identified its open space and recreation resource needs and associated implementation program. Where appropriate, the implementation program must demonstrate the effective use of zoning measures and other positive land use controls.
- E. The project fulfills a critical need identified in the SCORP and Action program and would otherwise have a high priority for funding from the State's regular apportionment.

The Secretary may from time to time expand or modify these criteria to meet the changing needs and priorities of the American public.

- 3. **Amount of Assistance.** In appropriate cases, the Secretary may limit Contingency Reserve assistance to less than the full Federal share of a project and require the project sponsor to provide the balance of the funds from other sources. (see Section 600.4.7) Amounts granted from the Contingency Reserve must be matched in the same manner as amounts granted from the regular apportionments. (see Section 600.4.7)
- 4. **Application Procedures.** Requests for assistance from the Contingency Reserve should be submitted on the same forms and in the same manner as requests for assistance from the State's regular apportionment. In addition, the proposal should also include:
  - A. A statement that Contingency Reserve assistance is requested and the amount of Reserve assistance requested placed in Part III, Section E of OMB Form No. 80-RO184.
  - B. A separate narrative statement of justification for use of Contingency Reserve funds based on the criteria set forth in Section 600.4.2.
  - C. An Environmental Assessment in accord with Chapter 650.2.
  - D. A list of commitments against the State's regular apportionment on a project-by-project basis with a copy of the instrument committing funds to each project. This documentation will serve the purpose of indicating the State's inability to assist the project from its regular apportionment.
  - E. A letter from the Governor addressed to the Secretary of the Interior endorsing the project.
- 5. **Project Execution.** Acquisition projects receiving assistance from the Contingency Reserve should be completed within one year from the date of approval. Development projects, however, may require two years for completion. The ending date of the project period on the project

agreement will reflect an appropriate project period. The date will be entered on the agreement at the time of approval by the Service.

6. **Approval Authority for Contingency Reserve Agreements.** The authority to approve agreements for projects involving Contingency Reserve funds is vested with the Director. Unless otherwise specified by the Director, this authority to approve Contingency Reserve Project agreements and amendments to such agreements, is delegated to the Chief, Division of Recreation Grants in Washington.
7. **Contingency Reserve Assistance to Insular Areas.** Although the eligible Insular Areas (in the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) may receive up to 100 percent assistance from their regular L&WCF account, the Secretary reserves the right to require up to 50 percent matching funds for grants awarded from the Contingency Reserve. This reservation will be applied on a project by project basis.



## DEFINITIONS

1. The definitions given below apply to terms used in this Manual.

ACCRUED EXPENDITURES: Accrued expenditures are the charges incurred by the grantee during a given period requiring the provision of funds for: (1) goods and other tangible property received; (2) services performed by the employees, contractors, subgrantees, and other payees; and (3) amounts becoming owed under projects for which no current services or performance are required.

ACCRUED INCOME: Accrued income is the earnings during a given period which is a source of funds resulting from (1) services performed by the grantee; (2) goods and other tangible property delivered to purchasers; and (3) amounts owed to the grantee for which no current services or performance are required by the grantee.

ACT: The Act of Congress, approved September 3, 1964, entitle "Land and Water Conservation Fund Act of 1965" (78 Stat. 897), as amended.

ADVANCE BY TREASURY CHECK: A payment made by a Treasury Check to a grantee: 1) upon request before cash outlays are made by the recipient, or 2) through the use of predetermined payment schedules before cash outlays are made by the grantees.

ADVISORY COUNCIL (ACHP): The Advisory Council on Historic Preservation.

AGREEMENT: A contract executed between the United States and a State setting forth mutual obligations with regard to all or part of a specific project.

AMENDMENT: An official alteration of the project agreement which, when signed by the State and the Service, modifies the agreement in a specified manner.

APPLICANT: The State.

APPORTIONMENT: The amount of funds annually reserved for a State by the Secretary of the Interior from Congressional appropriations for financially assisting projects under the provisions of the Act.

-----  
Manual Release 151

Replaces all preceding manual releases

APPROPRIATION: The amount of funds which the Congress makes available yearly from the Land and Water Conservation Fund for purposes of the Act.

APPROVAL: The signing by the Director or designated official of a project agreement and/or amendment resulting in the obligation of a specified amount of Federal funds for a specific purpose.

ARCHITECTURAL CONCEPT: Sketches, layouts, renderings, and similar drawings describing a proposed facility.

ASSISTANCE: Grant funds made available by the Service to a State in support of a public outdoor recreation project.

BOR: Bureau of Outdoor Recreation - the agency of the Department of Interior which administered the L&WCF program from its beginning in 1965 to 1978 when it was transferred to HCRS.

CASH CONTRIBUTIONS: Cash contributions represent the grantee's cash outlay, including the outlay of money contributed to the grantee by other public agencies and institutions, and private organizations and individuals.

CONSOLIDATED PROJECT GRANT: A L&WCF grant which includes several acquisition, development and/or combination projects or "elements" in one application and agreement. Consolidated project elements are identified by a capital letter at the end of the project number (e.g., 00-01234D).

CONTINGENCY FUND GRANT: A grant from the Contingency Reserve, usually awarded in national competitions based upon specific needs and selection criteria. Contingency grants are awarded outside the usual State apportionment and project selection process. Grants are made for special needs under the direct authority of the Secretary of the Interior

CONTINGENCY RESERVE: Also known as Secretary's Contingency Fund. That portion of Land and Water Conservation Fund money appropriated by the Congress for State use that is not immediately apportioned to the States, plus any funds reverted from expired apportionments, which is granted at the Secretary's discretion to meet specially-defined or emergency needs.

DATE OF COMPLETION: The date when all work under a project is completed or the date in the grant award document, or any amendment thereto, on which Federal assistance ends whichever comes first.

DIRECT EXPENDITURES OR DIRECT COSTS: Those expenditures or costs that can be associated with a specific project.

DIRECTOR: The Director of the National Park Service or any other officer or employee of the Service to whom the Director's authority is delegated.

DISALLOWED COSTS: Disallowed costs are those charges to a grant which the Service or its representative determines to be unallowable.

DISBURSEMENTS: Disbursements are grantee payments in cash, by check or by electronic funds transfer represented by valid invoices and documentation.

EXPENDITURES: Payments or outlays by cash, check or electronic funds transfer represented by valid invoice and disbursement documentation. (See disbursements.)

FEDERAL FUNDS AUTHORIZED: Funds authorized represent the total amount of the Federal funds authorized for obligations and establish the ceilings for obligation of Federal funds.

FISCAL YEAR: A period of time which begins on October 1 and ends on the following September 30.

FORCE ACCOUNT: Official bookkeeping record(s) established for the purpose of accounting for costs associated with Force Account work.

FORCE ACCOUNT WORK: The performance of work on a development project with the forces and resources of the project sponsor, including personal services, equipment, and materials, as opposed to development by contract with an outside organization or individual.

FUND: The Land and Water Conservation Fund (L&WCF) the financial resource created and maintained through authority and operation of the Act.

GENERAL PROVISIONS: The special terms of the Project Agreement (see Attachment 660.

GRANT: The act of providing a specific sum of money toward the execution of a specific project, consistent with the terms of a signed agreement. Also the amount of money provided.

GRANTEE: Grant recipient. See PARTICIPANT.

GRANT CLOSEOUT: The process by which the Service determines that all applicable administrative actions and all required work of the project have been completed.

-----  
Manual Release 151

Replaces all preceding manual releases

HCRS: Heritage Conservation & Recreation Service - agency that administered L&WCF program from 1978 to 1981, before its transfer to NPS.

INDIAN TRIBE: Indian tribes, bands, nations or other organized group which exercises governmental functions and which is recognized by the Secretary of the Interior as eligible for the special programs and services provided by the United States to Indians because of their status.

INDIRECT COSTS: Those costs related to the operation of the State's grants program but which, because of their incurrence for common or joint objectives, are not specifically identified with individual projects (see OMB Circular A -87, formerly FMC. 74-4).

IN-KIND CONTRIBUTIONS: In-kind contributions represent the value of noncash contributions provided by (1) the grantee; (2) other public agencies and institutions; and (3) private organizations and individuals. In-kind contributions may consist of the value of services directly benefiting and specifically identifiable to the project.

INSULAR AREAS: The Virgin Islands, Guam, American Samoa, The Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Marianas Islands. (Note that the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Marianas Islands are the only insular areas eligible for L&WCF grants.)

LETTER OF CREDIT: An instrument certified by an authorized official of a grantor agency which authorizes a grantee to draw funds needed for immediate disbursement in accord with the provisions of Treasury Circular No. 1075. As of 1991, Letters of Credit are no longer used; they have been replaced by the SMARTLINK Payment Management System (see SMARTLINK).

MAJOR CONSTRUCTION: Construction work with a total cost of \$100,000 or more including any complex of structures or group of interrelated or appurtenant facilities.

MARKET VALUE: The most probable price in terms of money which a property should bring in competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

NATIONAL REGISTER: The National Register of Historic Places.

NPS: The National Park Service.

-----  
Manual Release 151

Replaces all preceding manual releases

OBLIGATIONS: For grants purposes, obligations are the amounts of dollars awarded or approved in specific grant agreements which will require payment (outlays) when work is completed and billed at a later date.

OUTLAYS: Outlays represent charges made to the grant project. Outlays can be reported on a cash or accrued expenditure basis.

PARCEL: A piece of land, regardless of size, in one ownership (title).

PARTICIPANT: The State agency or other public agency receiving Fund assistance. Also referred to as the grantee, grant recipient or project sponsor.

PLANS AND SPECIFICATIONS: The detailed working drawings and technical specifications necessary to guide the construction, determine the scope of the work, and provide a firm basis for competitive bidding and contractual obligations.

POLITICAL SUBDIVISION: A city, town, township, borough, county, parish, district, or other political unit created under authority of State law.

PROGRAM INCOME: Earnings by the grantee realized from the grant-supported activities. Such earnings exclude interest income and may include, but will not be limited to, income from service fees, sale of commodities, usage or rental fees, sale of assets purchased with grant funds, and royalties on patents and copyrights. Program income can be reported on a cash or accrued income basis.

PROJECT COSTS: All necessary charges made by a grantee in accomplishing the objectives of a project during the project period.

PROJECT PERIOD: The specified period of time covering the approved portions of a project during which all work must be accomplished.

PROJECT SPONSOR: See Participant.

PROJECT TYPES:

- A. Planning Project: The preparation by the State of the Statewide Comprehensive Outdoor Recreation Plan, or the subsequent updating of that plan.
- B. Acquisition Project: The acquisition of real property or interest and rights thereto for a well-defined outdoor recreation area and/or purpose.

-----  
Manual Release 151

Replaces all preceding manual releases

- C. Development Project: The development of structures, utilities, or facilities necessary for the outdoor recreation use of an area.
- D. Combination Project: Acquisition of real property and the subsequent development of outdoor recreation facilities in a single project.

PUBLIC AGENCY: Any non-private entity which serves a governmental purpose. The term includes but is not limited to State agencies, political subdivisions, Indian tribes, and public authorities and commissions that have governmental functions. For purposes of this Manual, it does not include agencies of the Federal Government.

QUALIFICATION: The determination by the Service that a project is in accord with the Statewide Comprehensive Outdoor Recreation Plan and meets other Service criteria for recreation projects. Qualification does not constitute an obligation of funds or a commitment to obligate funds, but rather a technical finding of a project's adequacy and eligibility at the time of qualification.

REAL PROPERTY: Land, immovable improvements on land, and rights appurtenant thereto.

REGIONAL OFFICE: One of the NPS Regional Offices that has been delegated authority to process and approve L&WCF grants and amendments.

REGIONAL DIRECTOR: Director of an NPS Regional Offices.

REIMBURSEMENT BY TREASURY CHECK: A payment made to a grantee with a Treasury check upon request for reimbursement from the grantee. An alternative to electronic funds drawdown through SMARTLINK.

SCORP: Statewide Comprehensive Outdoor Recreation Plan (see State Plan).

SECRETARY: The Secretary of the Interior.

SERVICE: The National Park Service (NPS)

SINGLE PROJECT GRANT : A grant made for a single project or project element, as contrasted to a Consolidated Grant; project number has no identifying letters (but may have three "X"s - e.g., 00-01345 or 00-01345XXX).

SMARTLINK: The SMARTLINK Payment Management System, a computerized, on-line drawdown program accessible directly to grantees. It replaced the former Treasury Letters of Credit drawdown system, and is a billing system to provide payment on completed work under L&WCF grants.

-----  
Manual Release 151

Replaces all preceding manual releases

SPONSOR: The grant recipient or grantee. See Participant.

STAGE: A logical, identifiable portion of a project, consisting of one or more elements of acquisition, development or planning, specifically activated by a signed agreement or amendment.

STAGED PROJECT: A project that consists of two or more stages that are activated by an agreement and one or more subsequent amendments.

STATE: Any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa and the Northern Marianas Islands. In the L&WCF program, it is sometimes used as a synonym for GRANTEE or PARTICIPANT.

STATE HISTORIC PRESERVATION OFFICER (SHPO): The person designated by the Governor to act for the State on cultural, archeological, and historic preservation matters.

STATE LIAISON OFFICER (SLO): The person designated by the Governor to act for a State in routine matters pertaining to the L&WCF program.

STATE PLAN: The comprehensive statewide outdoor recreation plan (SCORP) prepared by each State consisting of a planning agreement, an assessment and policy plan, and an action plan.

SUPPORT CEILING: The maximum amount of financial assistance that will be provided on a project as specified in the agreement.

SUPPORT FACILITIES: Those facilities that are not themselves used for recreation but are, nevertheless, required for public recreational use of an area, such as access roads, parking areas, water systems, sanitary facilities, etc.

SUSPENSION: The suspension of a grant is an action by the Service which temporarily suspends Federal assistance under the project pending corrective action by the grantee or pending a decision to terminate the grant by the Service.

TERMINATION: The termination of a project means the cancellation of Federal assistance, in whole or in part, under a project at any time prior to the date of completion.

TRACT: A piece of land, composed of one or more contiguous parcels.

-----  
Manual Release 151

Replaces all preceding manual releases

UNOBLIGATED BALANCE: The portion of the funds authorized (apportioned) by the Federal agency which has not been obligated by the grantee as shown on the Federal agency records and is determined by deducting the cumulative obligations from the funds authorized.

UNPAID OBLIGATIONS: The dollar amount of legal obligations on approved grants which have not yet been paid out to grantees.

URBANIZED AREA: According to the Bureau of the Census, a central city, or twin cities, and surrounding closely settled territory. (A "central city" is a city of 50,000 inhabitants or more in 1980 or a special census conducted by the Bureau of the Census; "Twin cities" are cities with contiguous boundaries with a combined population of at least 50,000 inhabitants, with the smaller of the two cities having a population of at least 15,000.)

WITHDRAWAL: The unilateral retraction by the State of a previously approved project prior to reimbursement of any project costs incurred by the project sponsor.



### **PROJECT NUMBERING SYSTEM**

1. **Applicability.** Each project, including projects proposed for the Secretary's Contingency Reserve Fund, shall be assigned a separate official Service number by the Regional Office, whether or not it is ultimately approved. Agreements, amendments, and all other documentation relating to a given proposal, including letters and memorandum, shall contain this number.
  
2. **System for Numbering:** A 7-digit system shall be used as follows:
  - A. **First two digits:** State Identification Number
 

01 - Ala.	15 - Hawaii	26 - Mich.	37 - N.C.	49 - Utah
02 - Alaska	16 - Idaho	27 - Minn.	38 - N.D.	50 - Vt.
04 - Ariz.	17 - Ill.	28 - Miss.	39 - Ohio	51 - Va.
05 - Ark.	18 - Ind.	29 - Mo.	40 - Okla.	53 - Wash.
06 - Calif.	19 - Iowa	30 - Mont.	41 - Oreg.	54 - W.V.
08 - Colo.	20 - Kans.	31 - Neb.	42 - Pa.	55 - Wis.
09 - Conn.	21 - Ky.	32 - Nev.	44 - R.I.	56 - Wyo.
10 - Del.	22 - La.	33 - N.H.	45 - S.C.	60 - A.Q.
11 - D.C.	23 - Me.	34 - N.J.	46 - S.D.	66 - Guam
12 - Fla.	24 - Md.	35 - N.M.	47 - Tenn.	69 - C.M.
13 - Ga.	25 - Mass.	36 - N.Y.	48 - Tex.	72 - P.R.
78 - V.I.				
  
  - B. **Next five digits:** The Project Number is serially assigned in chronological order of receipt. This number shall also serve, after project approval, and in conjunction with the State Identification Number, as the project agreement number.
  
  - C. **Amendment to Agreement:** Amendment numbers shall be added immediately following the project number by using a decimal point and appropriate number (beginning with 1) in serial order.
  
3. **Use of Numbering System:** A project number shall be used only once and shall be the official method of identifying each project and related project documentation.
  - A. Immediately upon receipt of a project proposal, the Regional Office shall assign the 7-digit basic identification number consisting of the 2-digit State number, followed by (but separated by a dash) the 5-digit project number. These numbers shall be permanently affixed to the case file, and shall serve as a permanent reference number.

Example:

08-00004  
State of Colorado      Fourth project  
                                 proposal received  
                                 from Colorado

- B. Whenever the original project agreement is altered, the amendment number assigned to the executed amendatory document shall be serially increased.

Example:

08-00004.1

First Amendment

- C. Elements within a consolidated project shall be identified on the DNF Form by the State with a capital letter. Begin with the letter "A" and proceed through the alphabet as needed, except do not use the letter "O". If there are more than 25 elements continue numbering "A1", "B1" etc.

08-00004A      First element approved within a consolidated project.  
08-00004Z      Twenty-fifth element approved within a consolidated project.  
08-00004A1    Twenty-sixth element approved within a consolidated project.

**L&WCF PROGRAM ANNUAL REPORT**

1. **Authority.** Section 6(f)(7) of the Land and Water Conservation Fund Act of 1965, as amended, requires that each State evaluate its L&WCF grant program annually under guidelines set forth by the Secretary and to transmit such evaluation to the Secretary, together with a list of all projects funded during that fiscal year, including but not limited to, a description of each project, the source of other funds, and the estimated cost of completion of the project. The results of this evaluation are to be reported annually to the Service on a fiscal year basis. The Service, in turn, shall forward a summary of these reports to Congress. The annual report to Congress shall include an analysis of L&WCF grant, planning and other accomplishments during the reporting period, and may also include recommendations as to future improvements for the operation of the L&WCF program.
2. **State Annual Report.** The following guidelines have been prepared to assist the States in preparation of the Annual Report to Congress. The amount of data compilation by the States has been kept to a minimum in an effort to ensure that the preparation of this annual evaluation will not be an administrative burden on the States.

To further reduce paperwork burdens on States, all analytical information provided by States in Parts II or III of their annual L&WCF reports will be used to the fullest extent possible by the Service in its regular evaluations of State grants administration and planning processes (cf. Manual Parts 600.8 - Program Reviews and 630.1.6 - SCORP requirements).

- A. **Part I - Project Review and Evaluation.** To assist the States in the preparation of the required project listing, the Service will forward to each State Liaison Officer by November 15, a computer printout of all projects approved by the Service during the previous fiscal year. The printout will also indicate the total funds obligated to amendments during the same period and the number of amendments processed (see Attachment 600.7A).

Projects will be listed numerically with project name and include project sponsor, project type, coded list of the activities and facilities associated with the project, acres to be acquired, acquisition costs, and the amount of L&WCF assistance obligated to the project. States will review this project listing and supply corrections where appropriate, and will insert data on total project costs and the

amount and source of other funds (Federal, State, local and donations) in the spaces provided on the printout.

**B. Part II - Program Analysis.** Each State shall provide in concise narrative form, an evaluation of its L&WCF program during the preceding fiscal year. The evaluation shall include:

- (1) An indication of how projects approved during the year have contributed to meeting the priority needs, goals, and actions identified in the State's Comprehensive Outdoor Recreation Policy Plan and/or Action Program.

Each objective, goal or need identified as a high priority shall be stated briefly and followed by no more than one page of narrative, including statements indicating the number of projects and total Fund amount affecting each priority objective identified in the State plan and the type of recreation opportunities provided.

- (2) A table showing the levels of competition under the State's Open Project Selection Process during the fiscal year, and comparing the total number of applications or preapplications and total dollar amount (L&WCF shares) applied for with the number of grants and dollar amount actually awarded or committed (though not necessarily obligated) from L&WCF monies available to the State within the fiscal year.
- (3) A discussion of progress made in improving and implementing its Statewide Comprehensive Outdoor Recreation Planning (SCORP) program during the fiscal year, including:
  - (a) A status report on work items completed or in progress under the State's schedule for delivery of upcoming Policy Plan or Action Program submissions, including results of surveys, special studies or citizen participation efforts under the SCORP program.
  - (b) A report on adoption of new policies or other significant actions (other than L&WCF grant funding reported under (1), above) to implement priorities identified or recommended in the current SCORP, including legislative or financial initiatives, organizational, management or procedural improvements or other State actions that may improve outdoor recreation resources and opportunities.

- (c) Analysis of any other public or private actions influenced by the SCORP program, including significant uses of the SCORP by local governments, non-profit groups, private enterprises or individual citizens.

**C. Part III - Optional.** To further strengthen the Federal-State partnership under the Land and Water Conservation Fund program and to better enable the Service to assist the States in the conservation, development, and utilization of outdoor recreation resources, each State is encouraged to provide a supplement to its annual report. This supplement may be used to highlight other recent accomplishments or concerns expected to have a significant impact on outdoor recreation resources or needs within that State. The following items are suggested for possible discussion. However, this list is not all inclusive and may be expanded at State discretion:

- (1) Programs or issues related to meeting recreation needs at the local level.
- (2) Programs or issues related to meeting recreation needs of the handicapped, elderly and other minorities.
- (3) Status of existing or proposed non-Federal financial or technical assistance programs such as State or local bond issues, dedicated revenues or advisory services.
- (4) Impacts of national park, forest or fish and wildlife resources and programs on overall State objectives for outdoor recreation and efforts by State and Federal agencies to coordinate recreation resource responsibilities.
- (5) Private sector roles in providing recreation opportunities within the State.
- (6) State or local policy or management initiatives, including legislative or executive actions that will effect availability of outdoor recreation opportunities (e.g., State scenic river and trail programs, land use control measures, other conservation measures affecting recreation resources).
- (7) States may also include statements of concerns or recommendations about future improvements in the operation of the L&WCF program. These may relate to either administrative or legislative issues. State concerns about needs for administrative improvements or legislative actions

should be briefly stated and recommendations justified in terms of the problems to be solved.

3. **State Submissions.** Each State shall submit three copies of its annual report to the appropriate Regional Office on or before December 31. Each Regional Office will review and summarize State reports, and prepare a regional summary to be included in the Service's report to Congress. These regional summaries and two copies of each State report must be transmitted to Washington Office by January 31 of each year.
4. **Service Report.** The Service shall transmit to Congress, by March 1 of each year, a report summarizing all State annual reports for the preceding fiscal year, including compiled, State-by-State listings of project funding activity during the reporting period. This report will also include an analysis of other Fund accomplishments and summarize proposed administrative or legislative recommendations by the States for improvements in the L&WCF program. Individual State reports and listings of projects funded during the fiscal year will be retained by the Service and be available for review upon request.
5. **Matching Assistance.** L&WCF planning grant assistance may be available to the States for the preparation and publication of their annual reports and evaluations. A separate planning project or an amendment to an existing planning project may be submitted in the normal manner in order to cover prospective costs, or such costs may be recouped through the State's existing method for indirect costs reimbursement. A State may wish to publish sufficient copies of its annual report for distribution to State legislators, governmental units and concerned citizens as a means of documenting grant and SCORP accomplishments and soliciting future input.

LWCF-A-18  
PAGE 1

PN REGION -- IDAHO

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
\*\*\* TABLE 18 : ANNUAL REPORT OF GRANT PROJECTS FOR FY 1990TODAYS DATE 10/17/90  
LAST UPDATE 10/09/90  
AS OF SEPT 30, 1990

PROJECT / ELEM	TITLE	SPONSOR	TYPES	FACILITY CODES	ACRES	FUND - ACQ\$
A. FUND OBLIG	B. OTHR FEDERAL	C. STATE D. LOCAL	E. LAND DONATION	F. OTHER DONATION		G. TOT GRNT COST
		CITY OF PRESTON	C	B00 B 01 C00 C04 C06 Q00 Q02 Q03 Q06 Q09	1.5	30,000.00
00466 - XXX PRESTON PARK ENTRYWAY						
A. 93,176.69	B.	C. D.	E.	F.		G.
00470-XXX SCORP #8		STATE OF IDAHO	P			
A. 33,127.50	B.	C. D.	E.	F.		G.
00471-XXX WOOD RIVER TRAILS		BLAINE COUNTY REC. DIST.	D	H00 H01 H02 H03 H05 Q00 Q02 Q08		
A. 114,568.50	B.	C. D.	E.	F.		G.
00472-XXX FREEMAN PARK EXTENSION		CITY OF IDAHO FALLS	D	H00 H03 Q00 Q02		
A. 42,403.00	B.	C. D.	E.	F.		

283,275.69 -- TOTAL NEW LWCF OBLIGATION  
20,721.00 -- TOTAL INCREASE BY 5 AMENDMENTS  
.00 -- TOTAL CONTING. AMT. FOR CONSOL. PROJS  
-----

303,996.69 -- STATE TOTAL LWCF OBLIGATION

### **PROGRAM REVIEW OF STATE OFFICES**

1. **Purpose.** This chapter contains instructions to the Regional Offices concerning the review of the States' L&WCF programs and an outline in workbook form to be used in accomplishing those reviews. The workbook contained as Attachment A of this chapter outlines factors to be considered in the evaluation of a State's performance and in determining how the Service can assist the State in improving its grants-in-aid program.

The review of a State's program is an on-going process which culminates in a visit to the State offices and a report of that visit.

Regional offices are responsible for continually monitoring each State's administration of the L&WCF program. The State visit represents not only a fact-finding mission, but an opportunity to address those problems, concerns and opportunities that have been previously identified through a systematic analysis of the State's program using in-house sources, previous on-site visits, etc.

2. **Program Review Workbook.** The Attachment A workbook contains the basic agenda items which serve as a guide for the on-going review process. It is to be completed by the end of each review cycle (State visit and report of findings). The workbook represents the minimum required level of review. Regional Office staff are encouraged to supplement it with additional inquiries. All sections of the workbook are to be completed by Regional staff. Under no circumstances can States be asked to fill in workbook sections.

It is recommended that a file containing basic information (e.g. , workbooks, previous reports) on each State's administration of the L&WCF program be maintained by the Regional Office to ensure continuity from one review cycle to the next.

3. **State Review Team** Members of the team reviewing State offices must be carefully selected by Regional Office program managers. All members should have a thorough knowledge of the program areas they review; program reviews are not intended as on-the-job training for inexperienced Service personnel although new staff members are encouraged to accompany the review team for training purposes when appropriate.

In general the State review team shall have expertise in both grants administration and SCORP planning and the capability to work towards satisfactory solutions . If possible, the Regional grants chief



or a senior project officer should serve as team leader when the review team is selected. Program administrators and project officers from the State shall be available for consultation during the State review. In addition , project officers from other States in the Region may be invited to participate.

The Service's Regional review appraiser should accompany the review team if justified by the State's current appraisal record.

The Regional Director may assign one staff member to coordinate all program reviews in the Region to assure consistency and uniformity.

#### 4. State Visits

- A. Frequency. Ideally, visits to State offices are to be conducted annually. This is especially important for States with inexperienced staff, those which have been determined ineligible, those having significant problems in obligating or expending funds, and those with a continuing history of administrative or compliance problems. At a minimum, reviews in the State office must be conducted every two years. Exceptions may be made in the territories of American Samoa, Guam, the Virgin Islands, and the Commonwealth of the Northern Marianas which, because of their small programs, may be reviewed every five years at the discretion of the regional office. Those States with excellent L&WCF programs may be eligible for mini-reviews. See Chapter 600.8.6.
- B. Purpose. The annual visit to the State office is an opportunity for the Regional Office staff to:
  - (1) Discuss the resolution of problems noted in the previous report.
  - (2) Discuss new problem areas affecting program administration.
  - (3) Gain insight into State systems and operations.
  - (4) Provide technical assistance.
  - (5) Review selected L&WCF project files for possible noncompliance.
  - (6) Review adequacy of selected L&WCF project appraisal documents.
  - (7) Gather information to complete agenda items contained in the State review workbook.

C. Background Information. Prior to visiting the State, the reviewers should obtain information on how the State administers its program. The following suggested actions should assist the team in its efforts.

- (1) Complete as much of the workbook as possible prior to visiting the State office. Use current information already in the Region or readily available from the State. The workbook is not to be sent to the State for completion in whole or in part.
- (2) Program reviews are a cooperative effort. Notify the SLO and Grants Chief by letter of the coming visit. Include the workbook agenda and ask whether the State has any special interests or questions to be addressed during the visit.
- (3) Obtain an organization chart, copies of any new/proposed legislation affecting the L&WCF program, and a copy of the State guidelines provided to local sponsors for their use in preparing project applications.
- (4) Review the Annual Report and the previous program review report.
- (5) Review key SCORP items such as special studies, the Open Project Selection Process and the implementation program.
- (6) Review obligations and expenditure rates and geographic distribution of projects within the State.
- (7) Select at random from five to ten projects for review in the time available. This selection should focus on reduced documentation acquisition and development projects, those recently completed as well as active ones, and should include an active or recently completed SCORP planning project. Suggested checklists for use in the project reviews are included in Attachment A of this chapter.
- (8) Select several appraisals for review. Choose among those approved by the State since the last program review. Include those done for Section 6 (f)(3) purposes too.
- (9) Prepare a brief on projects with problems, policy questions, new policy and/or legislation affecting the L&WCF program, and other pertinent areas not addressed in the workbook.

- D. Initial Meeting. Upon arriving in the State offices, the Regional review team should meet with the State grants staff, SLO and other State officials as appropriate to develop a cooperative approach, to discuss current problems and establish goals for the program review.
  - E. Workbook Preparation. It should not be necessary to ask each of the workbook questions during the State visit. Basic questions can be answered from general knowledge, materials already on hand, or from items specifically requested from the State in advance. Once these basics are completed, a review team member can discuss individual program areas with State officials completing the remaining questions during or after the discussion. Strict "question and answer" sessions are discouraged in favor of letting State officials explain program issues while the review team member guides the conversation.
  - F. Close-out Meeting. Prior to departing, a close-out meeting shall be held with the State staff, SLO and other officials to thoroughly and frankly discuss the review results, including an analysis of the problem areas identified and recommendations for improvement.
5. Report of findings. The review team should complete the program review with a written report which is to be sent within ninety (90) days of the on-site visit.
- A. Scope. As a minimum, the report shall contain a discussion of the items listed below.
    - (1) Status report on previous recommendations. The report shall briefly list each of the findings or recommendations from the previous program review, indicate whether it has been implemented, and the month and year of implementation. The report shall also list any actions which were to be taken by the Regional office, the implementation status and the month and year of implementation. This follow-up on previous recommendations is one of the most important aspects of the program review.
    - (2) Major problem areas. The deficiencies identified prior to and during the State visit shall be listed and the findings discussed.
    - (3) Recommendations. Each deficiency shall include an outline of the actions needed for improvement as well as a time frame for resolution.

- (4) Follow-up. The report shall include actions to be taken by the Service to improve coordination with the State, to clarify policy issues or to respond to any other matters discussed during the State visit.

Regional Offices are encouraged to expand upon these minimum requirements by including positive comments covering specific areas or overall program performance in the body of the report. Alternatively, such comments may be highlighted in the transmittal letters in order to reduce the length of the report of findings.

The transmittal letters shall summarize the negative findings and recommended corrective actions discussed in more detail in the body of the report

Since the State files maintained by the Regional Office will contain the completed workbook covering the State's methods of program administration, it is unnecessary to include such information in the report of findings unless the Regional Office opts to do so.

- B. Distribution. The report of findings shall be transmitted to the Governor, the SLO, the State grants staff and other involved parties. A copy of the report and the letter to the Governor shall be sent to the Washington office.

## **I. PROGRAM ADMINISTRATION**

### **A. Organization, Staffing and Interrelationships. Discuss the following:**

#### **1. Planning Staff**

- size and adequacy of the staff in relationship to the workload
- individual responsibilities
- L&WCF experience
- training opportunities
- role and function in relationship to the grants staff
- role in OPSP development and project selection

#### **2. Grants Staff**

- size and adequacy of staff in relationship to the workload
- individual responsibilities; note whether responsibilities are split on a regional basis
- L&WCF experience
- training opportunities
- role in OPSP development and project selection

#### **3. Appraisal review staff (if applicable)**

- in house, other State agency, contract
- experience/qualifications

#### **4. Finance staff (if separate from above)**

- experience in L&WCF
- relationship to L&WCF staff
- percentage of time spent on L&WCF

#### **5. Field staff (if applicable)**

GAME REFUGES.....	640.2.10.E
GARDENS, COMMUNITY.....	640.3.6.K.
GENERAL PROVISIONS TO PROJECT AGREEMENT.....	660.3. Attach. B
GIFT, ACQUISITION BY.....	640.2.6.
GOVERNORS	
SCORP Approval.....	630.1.7.
SCORP Amendments.....	630.1.5.B.
SLO Appointment.....	600.2.6.
Salaries & Expenses.....	670.3.5.R.
GRANTS, PLANNING (FOR SCORP) .....	630.1.9., 630.2.
HANDICAPPED ACCESS	
Availability.....	675.9.2.C.
Design Criteria.....	640.3.3.
Discrimination.....	675.9.2.C.
Facilities.....	640.3.6.N.
General Provisions, In .....	660.3. Attach. B.
Project Evaluation .....	660.5.3.G.
Uniform Federal Accessibility Standards (UFAS).....	640.3.3.
HATCH ACT.....	660.3. Attach. B, Part III.F.
HIGHWAYS.....	660.5.3.1.(I).
HISTORIC/ARCHAEOLOGIC PRESERVATION	
Advisory Council on Historic Preservation.....	650.4.1.&.2.
Acquisition of sites & structures.....	640.2.10.A., 650.4.3.C.
Assurances.....	650.4.3.D.
Compliance Procedures.....	650.4.5.
Cost Sharing.....	650.4.4.
Destruction of.....	650.4.9.
Discoveries during Construction.....	650.4.6.
Effect, Consideration & Determination of.....	650.4.5.D. & F.
Eligibility for National Register.....	650.4.2.B, 650.4.5.C.& E.
Exclusions, Categorical.....	650.4.8.
General Provisions, in.....	660.3. Attach. B.
Historic Preservation Act of 1966.....	650.1.1.R, 650.4.1.
Interim Use.....	650.4.3.E.
National Register of Historic Places.....	650.4.2.
Project Evaluation.....	660.5.3.O.
Report, Survey.....	650.4.10.B.(4).
State Historic Preservation Officer (SHPO).....	650.4.
Support Facilities.....	640.3.8.C.
Survey, Need & Conduct of.....	650.4.10.
Timing.....	650.4.3.
HOME, RELOCATION.....	650.3.
HUNTING FACILITIES.....	640.3.6.F
HYDROELECTRIC PROJECTS (EXHIBIT Rs)	640.3.8D
ICE RINKS, SHELTERS.....	640.3.9.D

4. Is the work time of State SCORP planners included as part of the indirect cost rate? Is their work time also included as part of the SCORP planning grant? Is there duplicate funding?
- B. Follow-up System** - Does the State utilize a system to monitor and follow-up on project problems involving inspections, conversions, etc? If so, describe.
- C. Automatic Data Processing**
1. Do the State grants and/or planning staffs have adequate access to computerized data and make efficient use of computer hardware and software? If not fully utilized, why not?
  2. Which State processes/systems need to automated?
  3. Are NPS computer printouts and databases fully utilized?
  4. Are State database systems sufficiently compatible with NPS? If not, explain.
  5. Does the State advise NPS of needed corrections in the NPS database?
- D. Reporting Requirements**
1. Were the following reports prepared and submitted to NPS on time and was the information complete and correct?
    - Annual report
    - Relocation report
    - Annual performance report
    - Quarterly MBE reports (when required)

### III. STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLANNING

- A. Assessment and Policy Plan (APP)** - the following items assume an NPS-approved Plan is in place.
1. Are goals and objectives described in the APP being implemented?
  2. Describe those APP goals and objectives which are being addressed by means other than the implementation programs (s).

3. How is SCORP planning coordinated with other planning efforts such as those of the Governor's office, the State budget cycle, historic preservation, natural resource and wetlands and tourism?
4. What is the extent of commitment to the APP from the Governor's office, other State agencies, and interest groups?
5. How does the State monitor, evaluate and report progress and problems to NPS, State agencies, local agencies and interest groups?
  - On a regular or as needed basis? How often?
6. How is the APP used?
  - At the NPS Regional level, eligibility only? other uses?
  - At the State level, what uses are made of the APP by parks and recreation and by other State agencies?
  - At the local level, as a justification or resource for local activities/issues? Others?
7. How does the State obtain and document ongoing public participation in the planning process?
  - Who participates?
  - How?
  - Is there proportional participation by minority populations, the elderly and handicapped?
  - Is there proportional participation by small and rural communities?
  - Are urban areas proportionally represented?
  - Is there adequate geographic representation?
8. What is the State's schedule for the development of its next APP?
  - Is it on target?



9. What special studies or research is resulting from the SCORP planning efforts? Is it innovative and possibly useful to other States?

**B. Implementation Program** - the following items assume an NPS-approved program is in place.

1. Is there a one or two year Action Program? Is the time period workable or should it be changed?
2. Describe how the Action Program is being implemented?
3. How is progress monitored?
4. Are the established priorities for L&WCF funding being followed? Cite examples.
5. Will the current implementation program be revised?
  - When?
  - What will the revisions entail?
6. Is the planning for the next implementation program on schedule? If not, why?

**C. Planning Grants**

1. Is work progressing according to the established schedule? If not, why? What is being done to get back on schedule?
2. If portions are contracted out, was the contract executed in accord with 43 CFR Part 12.100 -12.510? List contracts and amounts.
3. Are new grants or amendments to existing ones planned? if so, why?
4. Are reimbursement requests made on a regular schedule?
5. Is NPS written approval of progress reports obtained prior to seeking reimbursement?
6. Are work products submitted to NPS as they are completed?
  - If not, how does this affect timely approval of products, eligibility, etc?

#### IV OPEN PROJECT SELECTION PROCESS

##### A. Priority Rating Systems

1. Has NPS approved the State and local rating systems now in use?  
When?
  - If not, when will they be submitted for approval?
2. Were the systems revised following completion of the latest SCORP APP or AP (or was a certification that changes were not necessary submitted to NPS)?

##### B. Project Selection

1. Does the listing of top-rated projects compare to those submitted to NPS?
2. Were projects with the highest numerical score by-passed in favor of others? If so, why?
3. Did the overall top-rated projects also rank high with respect to the SCORP-related criteria?
  - Were projects which rated high in SCORP criteria by-passed in favor of others? if so, why?
  - Does the system filter out projects which are not related to SCORP?
4. Does the State emphasize funding of acquisition over development projects? vice-versa? why? legal constraints?
5. Is there evidence of attempts to allocate funds on a "fair share" basis? If so, explain?
6. Who makes the final selection of projects?
7. Is the rating system used to rank projects under other State grant programs? If so, which ones?
8. How does the State handle amendments to approved projects with respect to the Open Project Selection Process?

- staged projects
- cost overruns
- scope increases/decreases, or changes
- time extensions

9. What are the State's L&WCF application due dates?

C. Other

1. Did the State inform all potential project sponsors about the availability of program funding within the last two years?
  - how was this accomplished? obtain samples
  - did the notification include: types of areas and facilities available for funding; a statement of the State's overall objectives for L&WCF funds; guidance on how to apply, an explanation of how the OPSP works; a listing of selection criteria?
2. How did the State obtain public participation in the preparation and revision of the OPSP?
  - was the general public as well as user/constituent groups given an opportunity to comment?
  - were the State's efforts effective?
  - were any comments included in the final version?
3. How does the State encourage projects which directly benefit special populations (Blacks, Hispanics, Native Americans and Asian Americans, the elderly and the handicapped)?
  - have these efforts been successful?
  - if not, why?
4. Does the State use an advisory board, commission, or legislative committee to assist in project selection?
  - Does this body have decisional authority or is it advisory only?
  - How is the membership selected?
  - What is their length of term?

- Does the membership reflect the ratio of minority to non-minority population of the State?

Manual Release 151  
Replaces all preceding manual releases

## **V PROJECT (PRE-APPROVAL)**

### **A. Local Manual**

1. Has the State developed its own G.I.A. manual for local applicants?
2. How and when is the manual provided to potential applicants?
3. Does it adequately reflect current Federal requirements?

### **B. Waivers - Does the State's review and selection procedure result in a large number of waiver of retroactivity requests?**

### **C. Donations - Is donation of private real property encouraged? If so, how?**

### **D. E.O. 12372 (Intergovernmental Review System)**

1. Does the State comply with its intergovernmental review requirements?
  - does it have a review system which includes the L&WCF program or are other means of notification being used?
2. Does the Single Point of Contact receive grant proposals in advance of final action as provided for in the State review system?

### **E. Historic/Archeological Review**

1. Describe the State's mechanism to ensure the identification and consideration of effect of projects listed on or eligible for the National Register of Historic Places.
2. After reviewing the sample projects, does project documentation indicate review and/or sign off by the SHPO?

### **F. Appraisal, Appraisal Review and Relocation**

#### **1. Appraisal Review System**

- are field checks by review appraisers made? in what cases?
- does the State routinely require more than one appraisal?
- are all appraisals reviewed by NPS?
- what is the degree of State involvement in local appraisals (list of appraisers provided; selection of appraiser reviewed;

guidance provided at project approval; technical assistance as needed)?

**2. Spot Check of Recent Appraisals**

- assure appraisals are less than two years old and represent a variety of resource (in-town, country, large and small parcels, unusual problems) and Section 6 (f)(3) conversion cases.

**3. Appraisal history since last Program Review**

- number received for NPS review
- number approved on initial NPS review
- number rejected by NPS
- number amended and approved after original rejection
- number rejected after amending
- major problems noted since last review

**G. Environmental Review**

1. Do the environmental assessments submitted with projects comply with the format detailed in the L&WCF Grants Manual?
2. Are environmental certifications used when projects meet the criteria for categorical exclusion?

**H. Documentation checklist (other Federal programs) - describe controls to ensure compliance with:**

1. Flood Disaster Protection Act
2. Title VII - Contract compliance
3. Endangered Species Act
4. Clean Air and Water Acts
5. Prime and Unique Farmlands protection
6. Floodplain and Wetland requirements

Manual Release 151

Replaces all preceding manual releases

7. Dingell-Johnson (Wallop-Breaux)/ L&WCF coordination
  8. Debarment and Suspension
  9. Drug Free Workplace
  10. Other laws and regulations
- I. Pre-award inspections** - Do State files contain copies of pre-award inspection forms in accordance with the State inspection agreement?
- J. Section 6 (f)(3) Boundary maps**
1. Are legible and dated boundary maps maintained for each project?  
Do they meet L&WCF Grants Manual requirements?
- K. Control and Tenure** - What procedures does the State follow to assure adequate site control? Do those procedures vary for acquisition and development projects?

## VI. PROJECT (ACTIVE STAGE)

### A. Contracts/Project Periods

1. What is the standard period for the Federal-State agreement?
  - acquisition projects
  - development projects
2. What is the standard period for the State-local agreement?
  - acquisition projects
  - development projects
3. Are the State-local project periods noted above justified in lights of the increased emphasis on the timely expenditure of funds?
4. Are the sponsors meeting their target dates during the project period?
5. Do the State-local contracts incorporate new program requirements such as Section 504, Debarment and Suspension, Drug Free Workplace, etc?

### B. Finance

1. Billings/Review
  - are reimbursement requests carefully reviewed prior to billing to avoid future billing adjustments and audit exceptions?
  - Are such requests processed and promptly submitted?
  - Does the State obtain approved appraisals prior to first billing?
2. Reimbursements
  - is the State experiencing any problems in its use of the SMARTLINK payment management system.



- how long does the process take from submission of billing documentation to receipt of the reimbursement by a local jurisdiction.
- how long does it take for the State to issue a check to project sponsors after it receives the Federal reimbursement?
- are States not on SMARTLINK experiencing problems with checks or processing billing reports?

**3. Obligation Rate**

- Did the State obligate its entire apportionment by the end of the prior fiscal year? If not, why?
- Are any problems anticipated this year? If so, describe.

**4. Expenditure Targets**

- Did the State meet its annual expenditure target for the most recent fiscal year? If not, why?
- will the State meet its target for the current year? If not, why?

**5. Expired Projects with Unpaid Balances**

- How many expired projects have unpaid balances?
- is the State making satisfactory progress in closing them out?

**C. Plan Certifications - How does the State ensure that construction plans and specifications meet health, accessibility and safety standards?**

**D. Performance Reports and Inspections**

1. Does the State submit complete performance reports with its billings or does it use the optional annual consolidated report?
2. Does the State submit progress inspection reports in accordance with its compliance inspection agreement?
3. Does the State submit the following close-out documentation within 90 days of project completion or expiration of the project period:
  - final inspection report when needed
  - final billing

- revised DNF form if changes have occurred
- as built or as acquired plan if changes have occurred
- a list of facilities developed or acres acquired

**E. Donations**

1. Describe any difficulties experienced by the State in administering the donation of labor, materials and equipment.

## VII COMPLIANCE

### A. Audits

1. Are Single Audit Act (A-128) requirements being fully implemented?
  - at the State level?
  - for subrecipients?
2. Has there been a pattern of program deficiencies identified in previous audits which need to be resolved?

### B. Inspections and inspection agreements

1. Does the State have a current compliance inspection agreement with NPS? Is it adequate or is revision necessary?
2. Are the agreed-to inspections being performed in a timely manner?
3. Is the State responsive to resolving problems they uncovered or those uncovered by NPS?
4. Does the State utilize personnel from other State agencies or divisions to assist in conducting inspections? Is this effective?

### C. Record Retention

1. Are project files, including boundary maps, current and accessible?
2. Is record retention consistent with L&WCF Grants Manual requirements?
3. Does the State utilize microfilming and/ or computers for record maintenance?

### D. Reminder letters - Does the State communicate frequently with project sponsors to outline their continuing L&WCF responsibilities? When? With what frequency?

### E. Conversion monitoring/certifications

1. Describe any additional State monitoring efforts regarding post completion compliance, specifically conversions.

2. Are there any unresolved Section 6 (f)(3) conversions? If so, list them outlining the State's plans for meeting L&WCF requirements in each case.
3. Describe the State's position regarding its future compliance responsibilities including new initiatives such as compliance certificates from project sponsors, staffing, etc.
4. Describe State efforts to establish accurate Section 6 (f)(3) maps for older projects.

**F. Program Income**

1. Describe the disposition of program income from rental of structures, sale of timber, sale of agricultural crops or extraction of subsurface mineral resources.
2. Does the State monitor the extraction of subsurface resources in light of the impact on public recreation use and the environment?

**G. Delayed Development**

1. Are there L&WCF acquisition projects that remain undeveloped even though they were scheduled for development within three years and competed in the OPSP on that basis? If so, list them outlining the sponsor's plans for development.

## VIII CIVIL RIGHTS

### A. Review of Recipients

1. Are the proper agreements, which provide assurance to comply with Civil Rights requirements, in order? (Between both recipient and NPS and recipient and sub-recipient).
2. Has the recipient provided notification to participants and beneficiaries of its policy of non-discrimination and identified the Federal agency to which a person may file a formal complaint?
3. Do contracts and agreements between recipients and concessionaires or user groups contain assurances to comply with Civil Rights requirements?
4. Has the recipient completed a Section 504 self-evaluation and transition plan (if necessary)?
  - If a "large" recipient, has it appointed a 504 coordinator and provided notification of such to participants and beneficiaries?
  - Were the self-evaluation and transition plan completed with assistance from handicapped persons and/or advocacy groups?
  - Were both programs and structures evaluated?
5. Does the recipient have a formal complaint procedure?
6. Were there violations of handicapped accessibility standards noted during site inspections?

CHECKLIST FOR PROJECT COMPLIANCE

Project Title \_\_\_\_\_  
 Project No. \_\_\_\_\_ Date Approved \_\_\_\_\_  
 NPS Review Officer \_\_\_\_\_  
 Review Date \_\_\_\_\_

	<u>Documents in State files</u> (yes/no/not applicable)
Project Application	
OMB No. 80-RO184, if applicable	_____
SF 424	_____
E.O. 12372, Intergovernmental Review comments	_____
SCORP reference showing concurrence	_____
Environmental Assessment or Certification (Assessment should show compliance with various environmental acts and Executive Orders)	_____
Control and tenure documents (titles, leases, easements, special use permits)	_____
Location maps	_____
Section 6(f)(3) project boundary map (for projects approved after 7/25/78)	_____
Site development plan	_____
Parcel maps	_____
Floor plans and their certification	_____
Cost Estimate Breakdown	_____
Acquisition Schedule	_____
Development schedule for acquisition project	_____

Manual Release 151  
 Replaces all preceding manual releases

Project Agreement and Amendment forms	-----
--Federal - State	-----
--State - Local	-----
Description and Notification Form (Element sheets if a Consolidated Project)	-----
Waiver of Retroactivity	-----
Assurances of Compliance	
--Title VI of the Civil Rights Act (DI 1350)	-----
--Section 504 of the Rehabilitation Act	-----
Site Inspection Reports	
--preaward	-----
--progress	-----
--final	-----
--post completion	-----
Competitive Use Determination (marinas, campgrounds, etc.)	-----
Billings/Progress Reports (at least 1 per year)	-----
Permits	
--Coast Guard	-----
--Corps of Engineers	-----
P.L. 91-646 date of acquisition (for development projects)	-----
Compliance with other Federal laws and regulations not included above:	-----
--Flood Disaster Protection Act of 1973	-----
--Architectural Barriers Act of 1968	-----
--EEO Contract Compliance (E.O 11246)	-----
--Disbarment and Suspension (E.O. 12549)	-----
--Section 106 of the National Historic Preservation Act of 1966	-----

**CHECKLIST FOR REVIEWING COMPLIANCE WITH  
PROVISIONS OF PUBLIC LAW 91-646**

Project Title \_\_\_\_\_  
Project No. \_\_\_\_\_ Date Approved \_\_\_\_\_  
NPS Review Officer \_\_\_\_\_  
Review Date \_\_\_\_\_

Documents in State File  
(yes/no/not applicable)

1. Appraisal Documentation including review material and written State approval, or recommendation for approval, of the appraisal report (Reviewed and approved prior to initiation of negotiations see 675.2.7) \_\_\_\_\_
2. Evidence that owner was offered opportunity to accompany the appraiser \_\_\_\_\_
3. Adequate statement of just compensation provided along with written offer to purchase. (Establishes date negotiations began) \_\_\_\_\_
4. Owner was offered and paid no less than the approved appraisal of fair market value. If purchase price exceeded fair market value is there adequate justification? \_\_\_\_\_
5. Properly documented waiver of just compensation, if required \_\_\_\_\_
6. Were incidental costs incurred by the owner reimbursed as required by Title III? \_\_\_\_\_
7. Were owners and/or tenants advised of their rights to relocation benefits? \_\_\_\_\_
8. Were displaced persons furnished with appropriate relocation advisory service in accord with Chapter 650.3.4.B., 650.3.7. and Relocation Act Section 205? \_\_\_\_\_
9. Were comparable home rental and purchase surveys made in the determination of replacement housing benefits? \_\_\_\_\_

Manual Release 151  
Replaces all preceding manual releases